

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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In re:	:	
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THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors. ¹	:	

	X	
	:	
In re:	:	
	:	
THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-4780 (LTS)
	:	
PUERTO RICO ELECTRIC POWER AUTHORITY	:	
	:	
Debtor.	:	

**OFFICIAL COMMITTEE OF UNSECURED CREDITORS' RESPONSE TO
STATUS REPORT OF GOVERNMENT PARTIES REGARDING
COVID-19 PANDEMIC AND THE 9019 MOTION**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Judge Laura Taylor Swain:

The Official Committee of Unsecured Creditors (the “Committee”)² respectfully submits its response to the *Status Report of the Government Parties Regarding the COVID-19 Pandemic and the 9019 Motion*, dated July 11, 2021 [Docket No. 2544 in Case No. 17-4780] (the “Status Report”) concerning the motion pursuant to Federal Rule of Bankruptcy Procedure 9019 [Docket No. 1235 in Case No. 17-4780] (the “Rule 9019 Motion”) that the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) filed on May 10, 2019. In support of this response, the Committee respectfully states as follows:

RESPONSE TO PREPA STATUS REPORT

1. For the reasons stated in its responses to the Oversight Board’s previous status reports,³ the Committee believes the time has long passed for the Court to either dismiss the Rule 9019 Motion or permit the Committee to press its objection to the PREPA bondholders’ claims while the Rule 9019 Motion remains pending. At the time of this filing, the Rule 9019 Motion has been pending for more than 26 months, thus prohibiting the Committee from exercising its statutory right to pursue the claim objection it filed in October 2019 for approximately 19 months, and the Oversight Board is now asking for three additional months, until October 2021, to file its next status report.

2. Without repeating its prior arguments, the Committee reiterates its request that the Court impose a deadline for the Oversight Board to either withdraw the Rule 9019 Motion or propose a firm schedule for its consideration by the Court. The Committee submits that neither the status of the island’s response to the pandemic nor PREPA’s ongoing transformation efforts

² The Committee is the official committee of unsecured creditors for all Title III Debtors, other than PBA and COFINA.

³ See, e.g., Docket Nos. 2230 and 2477 in Case No. 17-4780.

justify the continued indefinite stay of the Rule 9019 Motion. Moreover, it is not appropriate in the Committee's view for the Oversight Board to continue to obtain substantive relief, in the form of repeated adjournments of the Rule 9019 Motion, through the filing of status reports, as opposed to through a motion with this Court. At a minimum, the Committee requests that the next status report deadline be set for a date earlier than October 8, 2021.

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WHEREFORE, the Committee respectfully requests that the Court (a) impose a deadline for the Oversight Board to either withdraw the Rule 9019 Motion or propose a firm schedule for its consideration by the Court, and (b) take notice of the Committee's statement of position with respect to the Status Report.

Dated: July 13, 2021

By: /s/ Luc A. Despins

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